

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MICKEY RAY TAYLOR, JR.,

Plaintiff,

v.

1:20-cv-00536-DHU-JMR

TREY THOMPSON, SERGEANT
CASTANEDA, CORPORAL COX,
SERGEANT GRIFFIN, SERGEANT
RICHARD, DIVISION CAPTAIN DOE,
CITY OF CARLSBAD,

Defendants.

**ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE
JUDGE’S PROPOSED FINDINGS AND RECOMMENDED DISPOSITIONS**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition (“PFRD”) on June 6, 2024, regarding the Motion for Summary Judgment (Doc. 205) filed by the City of Carlsbad, Trey Thompson, Jacob Castaneda, Bryant Cox, Jason Griffin, and Richard Cage (collectively, the “City Defendants”). Doc. 271. Because the PFRD recommend the Court grant summary judgment, the Magistrate Judge also recommended that the Court deny seven other motions (Docs. 185, 186, 200, 208, 219, 228, and 239). The PFRD notified the parties of their ability to file objections within fourteen days, and that failure to do so waived appellate review. Doc. 271 at 32.

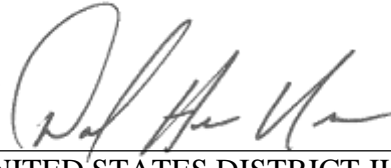
On June 14, 2024, plaintiff, *pro se*, filed a document titled “Plaintiff’s Response and Motion to Reconsider, and objections to Doc. 265, ‘order overruling objection and adopting the Magistrate Judges proposed findings and recommended disposition’ by Magistrate Judge Rozzoni on the City of Carlsbad set of defendants.” Doc. 273. The Court interprets this filing as both objections to the PFRD (Doc. 271) and a motion to reconsider. The Court will address the

motion to reconsider in a separate filing. On June 18, 2024, plaintiff filed another document titled, “Plaintiff’s Written Objections to Magistrate Judge Rozzoni’s Proposed Findings and Recommended Disposition on the Motion for Summary Judgment filed by defendants City of Carlsbad defendants,” which the Court also construes as objections. Doc. 274. The City Defendants did not respond to plaintiff’s objections.

Pursuant to FED. R. CIV. P. 72(b), the Court has conducted a *de novo* review of the record and all parts of the Magistrate Judge’s PFRD that has been properly objected to. After conducting this *de novo* review and having thoroughly considered the Magistrate Judge’s PFRD and the applicable objections, the Court finds no reason either in law or fact to depart from the Magistrate Judge’s recommended dispositions.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. Plaintiff’s objections (Doc. 273) are OVERRULED;
2. Plaintiff’s supplemental objections (Doc. 274) are OVERRULED;
3. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 271) regarding the City Defendants’ Motion for Summary Judgment are ADOPTED;
4. The Court hereby dismisses all claims against the City Defendants with prejudice;
5. The Magistrate Judge’s Proposed Findings and Recommended Disposition (Doc. 273) regarding the following motions are also ADOPTED and the motions are denied:
 - Plaintiff’s Motion to Appoint Receiver (Doc. 185)
 - Plaintiff’s Motion for Protective Order (Doc. 186)
 - Plaintiff’s Motion for Order to Attach Property (Doc. 200)
 - Plaintiff’s Motion for Discovery Sanctions (Doc. 208)
 - Plaintiff’s Motion for the Court to Direct the U.S. Marshall to Administer Personal Service (Doc. 219)
 - Plaintiff’s Renewed Motion for Rule 37 Discovery Sanctions (Doc. 228)
 - Plaintiff’s Motion for Summary Judgment (Doc. 239)

A handwritten signature in black ink, appearing to read "Paul H. Kim", is written above a horizontal line.

UNITED STATES DISTRICT JUDGE